Alice R. Horine et al.

vs.

Phebe Rudy et al.

No. 7487 Equity.

In the Circuit Court for

Frederick County as
a Court of Equity.

To the Honorable the Judges of the Circuit Court for Frederick County, as a Court of Equity.

The Petition of Laura Cline, wife of J. Wesley Cline, Helen Keller, wife of Henry Melvin Keller, Amanda C. Smith, wife of Samuel J. Smith, and Mary Jane Schildknecht, respectfully shows unto your Honors.

That a certain Henry Schildknecht departed this life intestate during the year 1858, and that on the 16th. day of December A.D. 1859 a bill of complaint was filed in this Court, heing No. 2891 Equity, for the sale of his real estate: that on the 7th. day of August A.D. 1860 a decree was passed appointing Joshua Rudy and John Sanner trustees "to sell the real estate of Henry Schildknecht mentioned in the proceeding subject to the widows dower, after the widows dower shall have been set apart by the commissioners appointed for that purpose " etc.: that after duly advertising all of said real estate said Trustees on the 2nd. of February A.D. 1861 sold the home farm containing eighty-nine acres at public sale and reported their said sale to your Honorable Court, by which Court said sale was finally ratified and confirmed, and also reported that the portion of said farm encumbered by the widows dower and the wood lot remained unsold, all of which fully appears by reference to the report of sales filed in said No. 2891 Equity; that subsequently said trustees sold and conveyed eight acres of said wood lot wencumbered by the widows dower to Susannah A. Schildknecht by deed dated on the 3rd. day of December A.D. 1881 and recorded in Liber A.F.No.4 folio 377 &c. one of the Land Records of Frederick County, a certified copy of which deed is filed as Exhibit No.5 in said No.7487 Equity, but